

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2002-682

VERIZON-MAINE  
Proposed Schedules, Terms,  
Conditions and Rates for Unbundled  
Network Elements and Interconnection  
(PUC 20) and Resold Services (PUC 21)

December 4, 2002

PROCEDURAL ORDER

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On November 13, 2002, by procedural order, the Commission invited interested persons to intervene in this matter by November 27, 2002, and to provide a list of issues relating to the proposed tariffs. We also scheduled a workshop for December 10, 2002, to ask Verizon questions relating to the tariff.

As of this date, the following parties have filed for intervention:

Office of the Public Advocate  
ASCENT  
Worldcom  
Mid-Maine Telecommunications  
Oxford Networks

All are hereby granted intervention. None of the parties have yet identified specific issues of concern. Given this fact and the size of Verizon's filing, we have decided that instead of holding a workshop on December 10, 2002, we will hold a case conference which will focus on setting a schedule for this proceeding. There will be a limited opportunity to ask Verizon clarifying questions regarding language contained in the proposed tariffs.

Parties are asked to review the following proposal for handling this case and bring their comments and suggestions to the case conference.

**Proposed Schedule For Wholesale Tariff**

Generally speaking, the Wholesale Tariff can be broken up into the following subparts:

1. General Terms and Conditions
2. Terms and Conditions for Specific UNES
  - a. Loop related UNES (includes subloops and line sharing)
  - b. Transport (includes EELs)
  - c. Interconnection
  - d. UNE combos (includes UNE-P)
  - e. Miscellaneous (includes operator services and directory assistance)
3. Collocation (previously approved, need only review amendments)

4. Rates
  - a. New rates (includes new OSS charge)
  - b. Previously-approved rates (only need to ensure compliance with TELRIC order)

We would propose the following order for handling the issues:

1. Collocation
2. UNEs
3. General Terms
4. Rates

Trina, there is an imperfect match between these 4 items (e.g, we need to clarify that transport is a UNE and that interconnection is not a UNE) and the items identified on page 1. How about

1. Collocation
2. UNEs
  - a. Loop related
  - b. Transport
  - c. UNE Combos
3. Interconnection
4. Miscellaneous
5. General Terms
6. Rates

In order to move this case forward, we would like to try to move through one issue or sub-issue each month (a longer period may be needed for some subjects such as loops and the OSS rates). We propose the following type of approach:

1 <sup>st</sup> of the month	Verizon files a document which explains the basis for the particular tariff language at issue, including any legal argument. Furthermore, Verizon's submission specifically identifies where the terms and conditions have been litigated (e.g., citing to case number and relevant pages of Commission order) in New England (defined for the purpose of this proceeding as New York, Rhode Island, Vermont, Massachusetts, and New Hampshire) and how the language reflects the result of the litigation. Verizon also identifies how the proposed terms and conditions language for Maine differs from its existing terms and conditions for each of the other New England States and provides an explanation of why it should be different than the existing language in the other States.
6 <sup>th</sup> of the month	Parties issue data requests to Verizon
15 <sup>th</sup> of the month	Verizon responds to the data requests
22 <sup>nd</sup> of the month	Parties submit documents explaining their position on the proposed language and any legal arguments relating to the issue.

30 <sup>th</sup> of the month	Technical conference (or hearing) is held. All Verizon witnesses associated with the relevant issue must be available for questioning. Any party which has submitted a document on the 22 <sup>nd</sup> must also be available for questioning.
15 <sup>th</sup> of next month	Briefs Due
within 30 days	Examiner's Report on the issue
10 days later	Exceptions
	Deliberations

This schedule does not provide for formal discovery by Verizon on the other parties because we are unsure of whether it will be necessary. It also does not call for formal pre-filed testimony. Finally, it contemplates a series of orders rather than one omnibus order at the end.

We are open to other suggestions, including a more informal approach to the litigation if all parties agree it is appropriate. We also understand that the intervals suggested above may be too ambitious and welcome suggestions for alternatives. Our goal is to review the tariff in its entirety but to concentrate our resources on the issues the parties identify as most critical. Thus, we encourage parties to come to the case conference ready to discuss how we can best meet our goal without lengthy litigation which unnecessarily burdens all parties with extra costs.

BY ORDER OF THE HEARING EXAMINER

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Trina M. Bragdon